UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/087,385	03/01/2002	Mark L. Beard	J2167.0280/P280	3339

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ART UNIT	PAPER NUMBER
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

PTOL-90A (Rev. 04/07)

	Application No.	Applicant(s)
Office Action Summary	10/087,385	BEARD, MARK L.
	Examiner	Art Unit	
	MARISSA LIU	3694	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on *07 April 2008*.
2a) ☒ This action is **FINAL**.   2b) ☐ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) *1-16* is/are pending in the application.
     4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☒ Claim(s) *1-16* is/are rejected.
7) ☐ Claim(s) _____ is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.
10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
     Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
     Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
     a) ☐ All   b) ☐ Some *   c) ☐ None of:
         1. ☐ Certified copies of the priority documents have been received.
         2. ☐ Certified copies of the priority documents have been received in Application No. _____.
         3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
     * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

1.   This action is in response to a reply submitted 4/7/2008. Claim 1 is amended. After

careful consideration of Applicant's arguments and amendments, the rejection of claims 1-16 are

maintained as set forth in detail below.

Claim Rejections - 35 USC § 103

1.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in
> section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are
> such that the subject matter as a whole would have been obvious at the time the invention was made to a person
> having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the
> manner in which the invention was made.

2.   Claim 1, 4-9 and 12-16 are rejected under 35 U.S.C. 103(a) as being unpatentable by

Quail Creek Bank Rates Page (PTO-892 reference U) in view of Official Notice (evidence by

Mark's background of invention (US Publication: 2002/0178098)).

3.   As per claim 1, Quail Creek Bank Rates Page teaches a computer-implemented method

for determining a benefit of pooling separate cash accounts into a single pooled account, the

method comprising: determining separate minimum cash balances required in the separate cash

accounts (pages 1-2); determining a pooled minimum cash balance required in the single pooled

account (pages 1-2).

Quail Creek Bank Rates page does not disclose: aggregating the separate

minimum cash balances into an aggregated minimum cash balance; determining a difference

between the aggregated minimum cash balance and the pooled minimum cash balance, wherein

the difference is a benefit of pooling.

Official Notice is taken that aggregating the separate minimum balances into an

aggregated minimum balance; determining a difference between the aggregated minimum

balance and the pooled minimum balance, wherein the difference is a benefit of pooling is old

and well known. It would have been obvious to one of ordinary skill in the art to include

aggregating the separate minimum cash balances into an aggregated minimum cash balance and

determine a difference between the aggregated minimum cash balance and the pooled minimum

cash balance, wherein the difference is a benefit of pooling to the method for determining a

benefit of pooling separate cash accounts into a single pooled account of Quail Creek Bank Rates

Page, to obtain better interest rate or annual percentage yield from pooled account. The

Examiner notes that the Official Notice is evidenced by Mark's background of invention (US

Publication: 2002/0178098). Mark's background of invention discloses aggregating the separate

minimum balances into an aggregated minimum balance and determining a difference between

the aggregated minimum balance and the pooled minimum balance, wherein the difference is a

benefit of pooling (¶ 0003-0006). Therefore, it would have been prima facie obvious for one of

ordinary skill in the art at the time of the invention to have included aggregating the separate

minimum balances into an aggregated minimum balance and determining a difference between

the aggregated minimum balance and the pooled minimum balance, wherein the difference is a

benefit of pooling feature to method of Quail Creek Bank Rates Page, because Mark teaches the

feature help to increase in bank interest and decrease in associated costs (¶ 0003-0006).

4.   As per claim 4, Quail Creek Bank Rates page and Official Notice teach the method as

recited in claim 1 described above. Quail Creek Bank Rates page does not teach comprising:

pooling the separate cash accounts into the single pooled account if the pooled minimum cash

balance is less than the aggregated minimum cash balance.

Official Notice is taken that pooling accounts into the single pooled account if the pooled

balance is less than the aggregated balance is old and well known to one of ordinary skill in the

art. It would have been obvious to one of ordinary skill in the art to add pooling the separate

cash accounts into the single pooled account if the pooled minimum cash balance is less than the

aggregated minimum cash balance to the method for determining a benefit of pooling separate

cash accounts into a single pooled account of Quail Creek Bank Rates Page, to obtain better

interest rate or annual percentage yield from pooled account. The Examiner notes that the

Applicant does not properly traverse the Official Notice. Therefore, the Official Notice becomes

admitted prior art.

5.   As per claim 5, Quail Creek Bank Rates page and Official Notice teach the method as

recited in claim 1 described above. Quail Creek Bank Rates page does not teach the method

comprising: receiving the number of separate cash accounts to be pooled; receiving daily balance

data for each of the separate cash accounts; receiving an identification of a currency of the

separate cash accounts; and receiving interest spreads for each of the separate cash accounts

spread.

Official Notice is taken that receiving accounts to be pooled; receiving balance data for

separate accounts; receiving identification of a currency; and receiving interest spreads is old and

well to one of ordinary skill in the art. It would have been obvious to one of ordinary skill in the

art to include receiving the number of separate cash accounts to be pooled; receiving daily

balance data for each of the separate cash accounts; receiving an identification of a currency of

the separate cash accounts; and receiving interest spreads for each of the separate cash accounts

spread to the method for determining a benefit of pooling separate cash accounts into a single

pooled account of Quail Creek Bank Rates Page, to obtain better interest rate or annual

percentage yield from pooled account. The Examiner notes that the Applicant does not properly

traverse the Official Notice. Therefore, the Official Notice becomes admitted prior art.

6.   As per claim 6, Quail Creek Bank Rates page and Official Notice teach the method as

recited in claim 5 described above. Quail Creek Bank Rates page does not teach wherein the

daily balance data is a time series of consecutive daily balance data.

        Official Notice is taken that daily balance data is consecutive daily balance data is old

and well to one of ordinary skill in the art. It would have been obvious to one of ordinary skill in

the art to include daily balance data is consecutive daily balance data to the method for

determining a benefit of pooling separate cash accounts into a single pooled account of Quail

Creek Bank Rates Page, to provide more accurate information on the benefit of pooling. The

Examiner notes that the Applicant does not properly traverse the Official Notice. Therefore, the

Official Notice becomes admitted prior art.

7.   As per claim 7, Quail Creek Bank Rates page and Official Notice teach the method as

recited in claim 6 described above. Quail Creek Bank Rates page does not teach wherein the

daily balance data is for a representative period.

        Official Notice is taken that wherein the data is for a representative period is old and well

to one of ordinary skill in the art. It would have been obvious to one of ordinary skill in the art

to include data is for a representative period to the method for determining a benefit of pooling

separate cash accounts into a single pooled account of Quail Creek Bank Rates Page, to provide

more accurate information on the benefit of pooling. The Examiner notes that the Applicant

does not properly traverse the Official Notice. Therefore, the Official Notice becomes admitted prior art.

8.   As per claim 8, Quail Creek Bank Rates page and Official Notice teach the method as recited in claim 7, wherein the representative period is up to three months.

Official Notice is taken that wherein period is up to months is old and well to one of ordinary skill in the art. It would have been obvious to one of ordinary skill in the art to include period is up to months to the method for determining a benefit of pooling separate cash accounts into a single pooled account of Quail Creek Bank Rates Page, to provide more accurate information on the benefit of pooling. The Examiner notes that the Applicant does not properly traverse the Official Notice. Therefore, the Official Notice becomes admitted prior art.

9.   As per claim 9, claim 9 is equivalent of claim 1. Please refer to claim 1 rejection above.

10.   As per claim 12, claim 12 is equivalent of claim 4. Please refer to claim 4 rejection above.

11.   As per claim 13, claim 13 is equivalent of claim 5. Please refer to claim 5 rejection above.

12.   As per claim 14, claim 14 is equivalent of claim 6. Please refer to claim 6 rejection above.

13.   As per claim 15, claim 15 is equivalent of claim 7. Please refer to claim 7 rejection above.

14.   As per claim 16, claim 16 is equivalent of claim 8. Please refer to claim 8 rejection

above.

15.   Claim 2-3 and 10-11 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Quail Creek Bank Rates Page (PTO-892 reference U) in view of Official Notice further in view

of Tanaka et al. US Patent Number: 5,799,288.

16.   As per claim 2, Quail Creek Bank Rates page and Official Notice teach the method as

recited in claim 1 described above. Quail Creek Bank Rates page does not teach wherein the

step of determining the separate minimum cash balances comprises: multiplying a standard

deviation of a cash balance in each of the separate cash accounts by 2.3. Tanaka et al. further

teaches wherein the step of determining the separate minimum cash balances comprises:

multiplying a standard deviation of a cash balance in each of the separate cash accounts by 2.3

(Fig. 24(b) and column 5, lines 57-67).

        Therefore, it would be prima facie obvious to one of ordinary skill in the art at the time

the invention was made to add the step of determining the separate minimum cash balances

comprises: multiplying a standard deviation of a cash balance in each of the separate cash

accounts by 2.3 feature to the method for determining a benefit of pooling of Quail Creek Bank

Rates page, because Tanaka et al. teaches that adding the feature helps to predict demanded cash

amounts within a designated period of time (column 1, lines 65-67).

17.   As per claim 3, Quail Creek Bank Rates page and Official Notice teach the method as

recited in claim 2 described above. Quail Creek Bank Rates page does not teach wherein the

number of separate cash accounts is n, and wherein the standard deviation of the cash balance in

any one of the separate cash accounts is S(x), the step of determining the separate minimum cash

balances is given by 2.3*[sum of S(n)]. Tanaka et al. further teaches wherein the number of

separate cash accounts is n, and wherein the standard deviation of the cash balance in any one of

the separate cash accounts is S(x), the step of determining the separate minimum cash balances is

given by 2.3*[sum of S(n)] (Fig. 24(a) and column 5, lines 57-67).

Therefore, it would be prima facie obvious to one of ordinary skill in the art at the time

the invention was made to add the number of separate cash accounts is n, and wherein the

standard deviation of the cash balance in any one of the separate cash accounts is S(x), the step

of determining the separate minimum cash balances is given by 2.3*[sum of S(n)] feature to the

method for determining a benefit of pooling of Quail Creek Bank Rates page, because Tanaka et

al. teaches that adding the feature helps to predict demanded cash amounts within a designated

period of time (column 1, lines 65-67).

18.   As per claim 10, Quail Creek Bank Rates page and Official Notice teach the method as

recited in claim 9 described above. Quail Creek Bank Rates page does not teach wherein the

information processor is further operable to determine the separate minimum cash balances by

multiplying a standard deviation of a cash balance in each of the separate cash accounts by 2.3.

Tanaka et al. further teaches wherein the information processor is further operable to determine

the separate minimum cash balances by multiplying a standard deviation of a cash balance in

each of the separate cash accounts by 2.3 (Fig. 24(a) and column 5, lines 57-67).

Therefore, it would be prima facie obvious to one of ordinary skill in the art at the time

the invention was made to add the information processor is further operable to determine the

separate minimum cash balances by multiplying a standard deviation of a cash balance in each of

the separate cash accounts by 2.3 to the method for determining a benefit of pooling of Quail

Creek Bank Rates page, because Tanaka et al. teaches that adding the feature helps to predict

demanded cash amounts within a designated period of time (column 1, lines 65-67).

19.   As per claim 11, Quail Creek Bank Rates page and Official Notice teach the method as

recited in claim 10 described above. Quail Creek Bank Rates page does not teach wherein the

number of separate cash accounts is n, and wherein the standard deviation of the cash balance in

any one of the separate cash accounts is $S(x)$, wherein the information processor is further

operable to determine the separate minimum cash balances by $2.3*[\text{sum of } S(n)]$. Tanaka et al.

further teaches wherein the number of separate cash accounts is n, and wherein the standard

deviation of the cash balance in any one of the separate cash accounts is $S(x)$, wherein the

information processor is further operable to determine the separate minimum cash balances by

$2.3*[\text{sum of } S(n)]$ (Fig. 24(a) and column 5, lines 57-67).

Therefore, it would be prima facie obvious to one of ordinary skill in the art at the time

the invention was made to add the number of separate cash accounts is n, and wherein the

standard deviation of the cash balance in any one of the separate cash accounts is $S(x)$, the step

of determining the separate minimum cash balances is given by $2.3*[\text{sum of } S(n)]$ feature to the

method for determining a benefit of pooling of Quail Creek Bank Rates page because Tanaka et

al. teaches that adding the feature helps to predict demanded cash amounts within a designated

period of time (column 1, lines 65-67).

Response to Arguments

20.   Applicant's arguments filed 4/7/2008 have been fully considered but they are not

persuasive.

21.   As to claim 1, Applicant argues that Quail Creek Bank Rates Page and Official Notice do

not teach the limitations of "determining separate minimum cash balances required in the

separate cash accounts". The Examiner disagrees. Quail Creek Bank Rates Page discloses

"Interest Checking: Minimum Balance $1,000 to $9,999.99; Personal Savings: minimum balance

$100.00 and etc". Therefore, Quail Creek Bank Rates Page discloses the claimed limitation.

        Applicant further argues that Quail Creek Bank Rates Page and Official Notice fail to

disclose "determining a pooled minimum cash balance required in the single pooled account".

The Examiner disagrees. Interest Checking/ Quail Classic Club: Minimum Balance $1,000 to

$9,999.99/ $1,000 and over; Personal Savings/ Business Savings: minimum balance $100.00 and

etc". Therefore, Quail Creek Bank Rates Page discloses the claimed limitation.

Conclusion

22.   **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time

policy as set forth in 37 CFR 1.136(a).

        A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within TWO

MONTHS of the mailing date of this final action and the advisory action is not mailed until after

the end of the THREE-MONTH shortened statutory period, then the shortened statutory period

will expire on the date the advisory action is mailed, and any extension fee pursuant to 37

CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event,

however, will the statutory period for reply expire later than SIX MONTHS from the mailing

date of this final action.

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to MARISSA LIU whose telephone number is (571)270-1370. The

examiner can normally be reached on IFP.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, James Trammell can be reached on 571-272-6712. The fax phone number for the

organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent

Application Information Retrieval (PAIR) system. Status information for published applications

may be obtained from either Private PAIR or Public PAIR. Status information for unpublished

applications is available through Private PAIR only. For more information about the PAIR

system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR

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like assistance from a USPTO Customer Service Representative or access to the automated

information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/M. L./
Examiner, Art Unit 3694

/James P Trammell/
Supervisory Patent Examiner, Art Unit 3694